

APPENDIX A

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NO. 4519 P. 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:)	Docket No.:	020732-97.668	
)		(7493)	
Applicants:	RATH, Melissa K., et al.)	Conf. No.:	4823
Application No.:	10/792,038)	Art Unit:	1752
Date Filed:	March 3, 2004)	Examiner:	IE, Hoa Van
Title:	COMPOSITION AND PROCESS FOR POST-ETCH REMOVAL OF PHOTORESIST AND/OR SACRIFICIAL ANTI-REFLECTIVE MATERIAL DEPOSITED ON A SUBSTRATE)	Customer No.:	24239

DECLARATION UNDER 37 CFR §1.131 IN U.S. PATENT APPLICATION NO. 10/792,038

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

MELISSA K. RATH, DAVID D. BERNHARD, DAVID W. MINSEK, MICHAEL B. KORZENSKI, and THOMAS H. BAUM hereby declare:

1. THAT we are co-inventors of the subject matter disclosed and elected in United States Patent Application No. 10/792,038 filed March 3, 2004 in the names of Melissa K. Rath, David D. Bernhard, David W. Minsek, Michael B. Korzenksi, and Thomas H. Baum and entitled, "COMPOSITION AND PROCESS FOR POST-ETCH REMOVAL OF PHOTORESIST AND/OR SACRIFICIAL ANTI-REFLECTIVE MATERIAL DEPOSITED ON A SUBSTRATE," hereafter referred to as the "Application."
2. THAT the Application relates to compositions and processes for removing photoresist and/or sacrificial anti-reflective coating (SARC) from a substrate having said materials thereon. The elected claims specifically relate to the following composition:

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1. A cleaning composition including an active cleaning combination (ACC), wherein said ACC consists of a quaternary base in combination with at least one of alkali and alkaline earth base and said cleaning composition is useful for removing photoresist and/or sacrificial anti-reflective coating (SARC) materials from a substrate having such material(s) thereon.
3. THAT we are aware that the Application has been examined by the United States Patent and Trademark Office and the claims of the Application have been rejected on various grounds including the disclosure of:
 - Yokoi, et al. (U.S. Patent Application Publication No. 2004/0259761) (hereinafter "the Yokoi reference") filed on June 10, 2004, based on U.S. Provisional Application No. 60/479,146, filed June 18, 2003, the content of which is unknown because it was filed in Japanese (hereinafter "the Yokoi Provisional Application").
3. THAT Exhibit A attached herewith includes true and exact copies of pages of David D. Bernhard's and Melissa K. Rath's¹ laboratory notebooks, and that all concepts, experiments and acts disclosed on the laboratory notebook pages were conducted in the United States before the filing date of the Yokoi Provisional Application cited hereinabove.
4. THAT all the dates have been blacked out on the attached laboratory notebook pages but all dates are prior to the date of June 18, 2003, which is the filing date of the Yokoi Provisional Application² that information on the laboratory notebook pages that may not be in the public domain has been redacted; and that every one of the attached laboratory notebook pages (Appendix A) discloses a composition including an active cleaning composition (ACC), wherein said ACC consists of a quaternary base in combination with at least one of alkali and alkaline earth base. Thus, the combination of disclosures described herein, provides ample support for the presently claimed invention.
5. THAT we offer Exhibit A with this Declaration as evidence of the completion and possession of the cleaning compositions disclosed and claimed in the Application prior to the June 18, 2003 date of the Yokoi Provisional Application reference.

¹ Melissa K. Murphy has resumed her maiden name "Rath"

² assuming that the Yokoi Provisional Application enables the Yokoi reference.

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As a below-named declarant, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements, and the like, so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Melissa K. RathDate 8/14/06

MELISSA K. RATH

Date _____

DAVID D. BERNHARD

Date 8/14/06

DAVID W. MINSEK

Michael B. KorzenkiDate 8/14/06

MICHAEL B. KORZENSKI

Thomas H. BaumDate 8-14-06

THOMAS H. BAUM

As a below-named declarant, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements, and the like, so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MELISSA K. RATH



Date _____

8/15/06

DAVID D. BERNHARD

Date _____

DAVID W. MINSEK

Date _____

MICHAEL B. KORZENSKI

Date _____

THOMAS H. BAUM

Date _____

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EXHIBIT A

Project No. _____
Book No. _____ TITLE _____

On Page No. _____

30Kg

BTMAH. [REDACTED]
KCH [REDACTED]
2ARE [REDACTED]
H2O [REDACTED]
BC [REDACTED]
SUBGRADE [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Issued & Understood by me, _____ Date _____ Instructed by [REDACTED] Date _____ To Page No. _____

Project No. _____	Book No. _____	TITLE _____	
Page No. _____			
# 0 [REDACTED] w/ [REDACTED] APM		[REDACTED]	
BTMAH [REDACTED] (X) KOH [REDACTED] (X) NaMO [REDACTED] (X) ZnCl ₂ [REDACTED] H ₂ O [REDACTED] APM [REDACTED]			
# 0 [REDACTED] w/ [REDACTED] APM		[REDACTED]	
BTMAH [REDACTED] (X) KOH [REDACTED] (X) NaMO [REDACTED] (X) ZnCl ₂ [REDACTED] H ₂ O [REDACTED] APM [REDACTED]			
# 0 [REDACTED] w/ [REDACTED] APM		[REDACTED]	
BTMAH [REDACTED] (X) KOH [REDACTED] (X) NaMO [REDACTED] (X) ZnCl ₂ [REDACTED] (X) Na ₂ SO ₄ [REDACTED] H ₂ O [REDACTED] APM [REDACTED]			
Initials & Underlined by me,		Date	Invened by [REDACTED] 0, 0
			To Page No. _____